

Report Date: March 25, 2022

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Mar 25, 2022**Eastern District of Washington**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Ryan Michael Fogler Case Number: 0980 1:18CR02068-TOR-1
 Address of Offender: [REDACTED] Spokane, Washington 99223
 Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge
 Date of Original Sentence: June 27, 2019
 Original Offense: Felon in Possession of a Firearm, 18 U.S.C. §§ 922(g)(1), 924(a)(2)
 Original Sentence: Prison - 41 months; Type of Supervision: Supervised Release
 TSR - 36 months
 Asst. U.S. Attorney: Thomas J. Hanlon Date Supervision Commenced: August 20, 2021
 Defense Attorney: Payton B. Martinez Date Supervision Expires: August 19, 2024

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 3/2/2022.

On August 25, 2021, this officer reviewed the judgment and sentence with Mr. Fogler. He stated he understood the conditions of his supervised release, which included mandatory condition numbers 2 and 3; and standard condition number 10.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
6	<p><u>Mandatory Condition #3:</u> You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.</p> <p><u>Supporting Evidence:</u> Mr. Fogler is considered to be in violation by consuming controlled substance, methamphetamine, on or about March 22, 2022.</p> <p>On March 22, 2022, the U.S. Marshals (USM) executed the arrest warrant of Mr. Fogler. After Mr. Fogler's arrest, he was advised by U.S. probation that his residence would be searched. USM reported when they cleared Mr. Fogler's apartment, his bedroom was dense with smoke. Mr. Fogler was questioned whether he used a controlled substance prior to his surrender. He admitted to using methamphetamine prior to his surrender.</p>
7	<p><u>Mandatory Condition #2:</u> You must not unlawfully possess a controlled substance, including marijuana, which remains illegal under federal law.</p>

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Supporting Evidence: Mr. Fogler is considered to be in violation by possessing methamphetamine on or about March 22, 2022.

During the search of Mr. Fogler's residence on March 22, 2022, two rocks of methamphetamine, each approximately a ½ inch in diameter, and a baggy of crushed methamphetamine and a syringe loaded of liquified methamphetamine were located in Mr. Fogler's bedroom. Each seized items were tested and confirmed for the presence of methamphetamine.

8 **Standard Condition #10:** You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).

Supporting Evidence: Mr. Fogler is considered to be in violation by possessing ammunition, precisely, 28 rounds of 9mm ammunition, on or about March 22, 2022.

During the search of Mr. Fogler's residence on March 22, 2022, a box containing 28 rounds of ammunition was seized.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under a penalty of perjury that the foregoing is true and correct.

Executed on: 03/25/2022

s/Emely Cubias

Emely Cubias
U.S. Probation Officer

THE COURT ORDERS

☐ No Action
☐ The Issuance of a Warrant
☐ The Issuance of a Summons
☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
☒ Defendant to appear before the Judge assigned to the case.
☐ Defendant to appear before the Magistrate Judge.
☒ Other: ***All pending violations will be addressed at the Revocation of Supervised Release Hearing set for 4/20/2022.***



Thomas O. Rice
United States District Judge

March 25, 2022

Date